CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE FIVE HUNDRED AND EIGHTY-FIRST PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 7 February 1991, at 10 a.m.

President: Mr. W. Rasaputram (Sri Lanka)

GE.91-60199/9096A

The PRESIDENT: I declare open the 581st plenary meeting of the Conference on Disarmament.

As announced at our last plenary meeting, I will put before the Conference today for adoption the report of the Ad Hoc Committee on Chemical Weapons, contained in document CD/1046. We shall first listen to the statements scheduled for today and then proceed immediately afterwards to take that action.

I have on my list of speakers today the representatives of Peru and Mexico. I now give the floor to the representative of Peru, Mr. Calderón, who will speak in his capacity as co-ordinator of the Group of 21 for agenda item 4.

Mr. CALDERON (Peru) (translated from Spanish): This morning, I wish to read out a statement on behalf of the Group of 21 concerning the mandate of the Ad Hoc Committee on Chemical Weapons.

(continued in English)

As in previous years, the Group of 21 would like to emphasize once again that the goal of the negotiations under way in the Ad Hoc Committee on Chemical Weapons is to conclude a comprehensive and non-discriminatory multilateral convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction.

On 4 December 1990, the forty-fifth session of the United Nations General Assembly unanimously adopted resolution 45/57 A, which refers, inter alia, to the work of the Ad Hoc Committee on Chemical Weapons. In this resolution the General Assembly stressed once again its conviction of the "necessity that every effort be exerted for the successful conclusion of negotiations on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction". The General Assembly also expressed "its regret and concern that a convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction has not yet been concluded". Furthermore, it strongly urged the Conference on Disarmament, "as a matter of highest priority, to intensify during its 1991 session its efforts to resolve outstanding issues, and to conclude its negotiations on a convention, taking into account all existing proposals and future initiatives, and to re-establish its Ad Hoc Committee on Chemical Weapons for that purpose".

This year the urgency of concluding a chemical weapons convention is reinforced by the present circumstances in the international arena, which are detrimental to peace and security. The Group of 21 continues to believe that the mandate of the Ad Hoc Committee on Chemical Weapons should include a reference to the total prohibition of the use of chemical weapons in order to be consistent with the General Assembly resolutions successively adopted in previous years since, in its view, this undertaking is already provided for in article I, paragraph 3 of the draft Convention. This element is of paramount importance to the Group as well as to the vast majority of all members of the Conference.

(Mr. Calderón, Peru)

As stated repeatedly by the Group of 21, the goal of concluding a comprehensive convention compels the Conference on Disarmament to seek a total ban on the use of chemical weapons so as to free the world from the scourge of these weapons of mass destruction. The Group would like to emphasize the importance it attaches to all aspects of the mandate, and expresses its willingness to ensure the prompt resumption of the important work of the Ad Hoc Committee on Chemical Weapons.

Mr. MARIN BOSCH (Mexico) (translated from Spanish): The comprehensive nuclear test ban has been at the top of the list of priority items in this Conference since its establishment in 1962. It could even be said that the then Conference of the Eighteen-Nation Committee on Disarmament (ENDC) was set up specifically to bring about a comprehensive test ban.

> "Such an agreement will be an important first step in bringing the arms race under control. It will be the foundation for the establishment of the necessary confidence, which must be built upon in order to ensure that other more far-reaching disarmament measures will be concluded and faithfully carried out. Such a treaty can serve to restrict and inhibit other countries from producing their own nuclear weapons. Finally, it will prevent further increases in the radioactive fall-out from nuclear tests."

This assessment, which was voiced by the representative of the United States in this very room on 27 August 1962 (ENDC/PV.75), summarizes the position of the overwhelming majority of the international community on this item.

A year later, in August 1963, the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was opened for signature. The two sole substantive provisions of the Treaty are the partial test ban (without provision for a verification system) and the possibility (contained in article II) of amending it. In the preamble to the Treaty, the original parties - the United States, the United Kingdom and the Soviet Union - undertook to seek "to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances".

More than a quarter of a century and hundreds of underground nuclear tests later, the international community still has no CTB. In this Conference, where we are supposed to be negotiating such a treaty, it has not even been possible to secure agreement on establishing a subsidiary negotiating body. This is the reason for the growing impatience of many Member States of the United Nations, impatience which, year after year, has taken shape in numerous General Assembly resolutions and urgent appeals from political leaders, parliaments and governmental and non-governmental organizations. In view of the deadlock in this Conference, a group of countries decided in 1988 - the silver anniversary of the partial test-ban Treaty - to submit for the consideration of the parties an amendment to this Treaty. The proposal made by Indonesia, Peru, Sri Lanka, Venezuela, Yugoslavia and Mexico was distributed in this very Conference on 5 August 1988 (CD/852). The purpose of the amendment is to convert the Treaty into a comprehensive nuclear-test-ban treaty. It is composed of three parts.

(Mr. Marín Bosch, Mexico)

Firstly, the addition of an article VI, stating that "Protocols annexed to this Treaty constitute an integral part of the Treaty". Secondly, the text of protocol I broadening the test ban to cover tests underground or in any other place not described in article I of the Treaty itself. Thirdly, protocol II on the verification of the comprehensive ban.

In pursuance of article II of the Treaty and of the request of the majority of the States parties and of the General Assembly of the United Nations (in resolutions 41/46 B, 42/26 B and 44/106), an Amendment Conference was convened whose first organizational phase took place at United Nations Headquarters from 29 May to 8 June 1990. There the provisional agenda for the Amendment Conference was agreed on, its rules of procedure were adopted and the States parties, in particular the nuclear-weapon States, were requested to present to the Conference their views on the verification of a CTB.

On 30 November 1990, the six States which had initiated the amendment conference proposal distributed a draft protocol II on verification of a comprehensive test ban (PTBT/CONF/6). However, in view of the attitude adopted by two of the original signatories - to whom the Treaty gives the right to veto any amendment - it was obvious that the amendment could not be adopted in the second phase of the Conference, which was held, also in New York, from 7 to 18 January 1991. Fully aware of the foregoing, the General Assembly, in resolution 45/50 of 4 December 1990, recommended that "arrangements be made to ensure that intensive efforts continue, under the auspices of the Amendment Conference, until a comprehensive nuclear-test-ban treaty is achieved". But the breadth of the general debate in the plenary and the discussion of the protocol on verification in the Committee of the Whole, as well as the active participation of non-governmental organizations, highlighted the broad international support built up by the six-nation initiative. Hence the vast majority of the parties managed to reach an agreement on a follow-up mechanism which would enable the Conference to continue its work after 18 January.

The six sponsors, along with the Philippines, Nigeria, Senegal and Tanzania, submitted a draft decision reading as follows:

> "Acknowledging the complex nature of certain aspects of a comprehensive test ban, especially those with regard to verification of compliance and possible sanctions against non-compliance, the States parties were of the view that further work needed to be undertaken. Accordingly, they agreed to reconvene the Conference no later than September 1993 and to establish an inter-sessional working group, composed of 15 to 20 countries, in order to continue the consideration of verification of compliance with a complete test-ban treaty. The working group will submit a report to the Conference at its reconvened session."

(Mr. Marín Bosch, Mexico)

Subsequently, guided by a spirit of compromise, the six countries modified their proposal in the following way. The first part remained exactly as I have just read out, while the second read:

> "Accordingly, they agreed to mandate the President of the Conference to conduct consultations with a view to achieving progress on those issues and resuming the work of the Conference at an appropriate time."

This was the decision that the Conference adopted at the conclusion of its second phase on 18 January. Its President, Foreign Minister Ali Alatas of Indonesia, will now have the task of continuing his skilful conduct of the work of the Conference. And in order to fulfil his mandate and ensure the success of the Conference, he will need the co-operation of all the parties to the Treaty.

When protocol II was discussed in the Amendment Conference, it was suggested, inter alia, that this Geneva Conference should also look at this document (CD/1054), which I now have the honour to present on behalf of the delegations of Indonesia, Peru, Sri Lanka, Venezuela, Yugoslavia and Mexico. Likewise we have asked for it to be made available to the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, whose mandate, I would like to say in passing, could perhaps benefit from a few adjustments.

Draft protocol II consists of a preamble, eight articles, three annexes and an appendix. The first three articles describe the "treaty institutions" - the organization and its main bodies. One would be the assembly and its technical committee, in which all States parties would be represented. The other would be the secretariat, headed by a secretary-general, which among other functions would give technical support to the committee. Articles IV and V cover operating procedures, that is to say monitoring techniques and reports to be prepared by the secretariat. The next two articles indicate the "obligations of the parties" with regard to co-operative measures and additional monitoring procedures. The final article refers to the fact that the annexes and appendices would be integral parts of the protocol. Annex 1 describes the permanent global monitoring network, including monitoring stations, station operation and site selection. A preliminary list of the initial stations is given in appendix 1. Annex 2 deals with the way in which the secretariat could carry out temporary localized monitoring, and with station equipment and operations. Annex 3 refers to procedures for on-site inspection.

There is nothing esoteric about the content of draft protocol II. It is based on the already very long list of proposals designed to bring about proper verification of a CTB. One of the first was contained in the "draft treaty banning nuclear weapon tests in all environments" (ENDC/58) submitted to the Conference by the United States and the United Kingdom in August 1962. This proposal sought the establishment of a scientific commission, an international staff and a verification system with a network of stations and on-site inspection.

(Mr. Marín Bosch, Mexico)

The six delegations - I am about to conclude, Mr. President - hope that our draft protocol II to the 1963 Treaty will be given careful consideration by this Conference and its subsidiary bodies. We are prepared to improve it and consider it along with other proposals that have already been tabled.

Mr. von WAGNER (Germany): As this is the first time that I take the floor under your presidency, Sir, I am very glad to be able to congratulate you on your assumption of your high and very responsible task. We are sure that you will discharge it in the most able manner, as we have experienced already.

We have listened very carefully to the declaration just read out by the representative of Peru on behalf of the Group of 21. As co-ordinator for chemical weapons of the Western Group, on behalf of Western delegations, may I express the opinion of Western delegations that we agree completely with the declaration of the Group of 21 as far as it pronounces the need for the early establishment of the Ad Hoc Committee for Chemical Weapons? We have, at an early date of the new round of negotiations of the Conference on Disarmament, pointed to the fact that Western delegations are prepared to re-establish that Committee without any delay, and in order to be able to do so, we have said that the best way to do it is on the basis of the mandate which we had last year. That this mandate is sufficient is proven by the "rolling text" which has been elaborated during the past years on this and similar mandates, and which now contains more than 200 pages, most of them consensus language. So, as it was sufficient to establish that kind of consensus and that text, there is no reason to believe that it would not be sufficient to continue this very valuable task during the coming year. On that ground, we urge the Conference on Disarmament to agree as early as possible on the establishment of the Ad Hoc Committee on Chemical Weapons.

The PRESIDENT: I thank the representative of Germany for his statement and for the kind words addressed to the Chair. I recognize the representative of the United States, Ambassador Stephen Ledogar.

Mr. LEDOGAR (United States of America): I would like to mention that we have with us today, as a guest of my delegation, Congressman Wayne Owens, a member of the United States House of Representatives, from the State of Utah. Congressman Owens is one of four Congressmen appointed by the Speaker of the House, Mr. Thomas Foley, as a special observer for the chemical weapons negotiations. He is in Geneva to familiarize himself with the CW negotiations.

The PRESIDENT: I thank the representative of the United States of America for introducing in the Conference Congressman Wayne Owens, who holds the important responsibility of Special Observer of the House of Representatives for the chemical weapons negotiations. I welcome him and wish him success in discharging that task, which is closely related to one of the priority items on our agenda.

Does any other delegation wish to take the floor at this stage? I see none.

(The President)

We shall now take action on the report of the Ad Hoc Committee on Chemical Weapons on its intersessional work, as contained in document CD/1046. If there is no objection, I shall take it that the Conference adopts the report of the Ad Hoc Committee.

It was so decided.

The PRESIDENT: I should like now to refer briefly to those organizational questions still pending. As you know, I have been engaged since the opening of the annual session in consultations with the co-ordinators in connection with the most appropriate organizational arrangements to deal with some agenda items. I am happy to report to you today that agreement has emerged on the organizational framework to deal with agenda items 2, "Cessation of the nuclear arms race and nuclear disarmament", and 3, "Prevention of nuclear war, including all related matters". We shall apply the same procedure as followed during the last annual session, i.e., the Conference will hold a series of informal meetings on the substance of these agenda items, and views expressed on them at both plenary and informal meetings will be reflected in the annual report of the Conference. I shall make a statement, under my own responsibility, listing topics for the purpose of facilitating a structured discussion at the informal meetings. That statement will not be binding on any delegation. I intend therefore at our next plenary meeting to formalize this agreement and, for that purpose, I shall follow a procedure identical to that used at the 547th plenary meeting of the Conference on 29 March 1990.

As you know, I have also conducted consultations on the question of the improved and effective functioning of the Conference, pursuant to paragraph 18 of our last annual report to the General Assembly of the United Nations. As a result of those consultations, I have decided to appoint Ambassador Ahmad Kamal of Pakistan to conduct consultations bilaterally with members of the Conference, to determine whether there would be common ground for addressing certain issues relating to that question. Ambassador Kamal has very kindly agreed to this appointment, and I should like to express my appreciation to him for undertaking this new and heavy responsibility.

I am also conducting consultations in connection with the re-establishment of the subsidiary bodies under agenda items 1, 4 and 5, so that we can implement the agreement already obtained in connection with those items. No agreement seems in sight in connection with the re-establishment of the Ad Hoc Committee under agenda item 8. We also need to appoint the Chairman of the Ad Hoc Committee on negative security assurances, and I do hope that during the coming days I shall have a recommendation to proceed to substantive work in that subsidiary body.

As we start the last week of my presidency, I intend to intensify my consultations, including, if necessary, additional meetings with the co-ordinators, so that we might start substantive work on a number of other subjects before the Conference. If agreement is not possible during the coming week on all pending questions relating to subsidiary bodies, I shall proceed to comply with the provision contained in paragraph 5 (d) of the decision adopted by the Conference at its 575th plenary meeting on 21 August 1990, concerning its improved and effective functioning. In

accordance with that provision, in the absence of consensus on the establishment of any particular subsidiary body or its mandate, the incumbent President shall, in the two weeks following the principal debate at the opening of the annual session, try to identify a Special Co-ordinator to assist in carrying out informal consultations with a view to reaching consensus. In other words, my mandate is to try to identify, by the end of next week, special co-ordinators if we are unable by that time to agree on organizational arrangements for certain agenda items.

I have no other business for this plenary meeting and I therefore intend to adjourn it. The next plenary meeting of the Conference on Disarmament will be held on Thursday, 14 February, at 10 a.m.

The meeting rose at 10.45 a.m.